

15-3078
Treaties

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28 February 1953

MEMORANDUM FOR THE PRESIDENT

SUBJECT: S. J. Res. 1 -- "Proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements."
and
S. J. Res. 2 -- "To impose limitations with regard to Executive agreements."

This memorandum is in response to your request, dated 25 February 1953, concerning the above subject. The limitations proposed in the joint resolutions relating to the power of the Executive to enter into agreements with foreign governments would be of serious concern to this Agency if the limitation was deemed to cover agreements on intelligence matters or closely related fields. Most of such agreements, affecting this Agency, should be "classified" in the interest of national security.

There are also certain executive agreements, public in nature, from which this Agency derives benefits and a limitation on the power of the Executive to enter into such agreements would have an indirect adverse effect on our activities. Such agreements are, however, primarily a matter for the Department of State and the manner in which they affect

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CIA is generally a matter which should not be publicly disclosed.

Pursuant to the discussions held at the White House on 27 February we shall give this matter careful consideration with the view of making known to Mr. Phleger, Legal Adviser, Department of State, the effects on this Agency which would result from the limitations in the proposed joint resolutions. A detailed study of those effects would require careful preparation and we strongly support the suggestion advanced on behalf of the Executive Departments to postpone the scheduled date for hearings before the Judiciary Committee of the Senate.

ALLEN W. DULLES
Director